

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Samantha Wright,

Court File No.:

Plaintiff,

vs.

NOTICE OF REMOVAL OF ACTION
TO FEDERAL COURT

City of Minneapolis; Minneapolis Chief
of Police, Medaria Arradondo, in his
official capacity; and John Does 1-4, in
their official and individual capacities,

Defendants.

Pursuant to 28 U.S.C. §§ 1331, 1343, 1367, 1441 and 1446, Defendants City of Minneapolis and Minneapolis Chief of Police Medaria Arradondo (“City Defendants”), through their attorneys Sharda Enslin, Kristin R. Sarff and Heather P. Robertson, Assistant City Attorneys, 350 South Fifth Street, Room 210, Minneapolis, MN 55415, hereby remove this action from the Fourth Judicial District of the State of Minnesota to this Court, and give notice to the Plaintiff and to this Court as follows:

1. The City Defendants are defendants in a civil action in the District Court of the Fourth Judicial District of the State of Minnesota entitled *Samantha Wright v. City of Minneapolis; Minneapolis Chief of Police, Medaria Arradondo, in his official capacity; State of Minnesota Department of Public Safety; Minnesota Department*

of Public Safety Commissioner John Harrington, in his official capacity; Minnesota State Patrol Colonel Matthew Langer, in his official capacity; and John Does 1-4, in their official and individual capacities. The original Summons and Complaint were served upon the City of Minneapolis via the Minneapolis City Clerk on July 10, 2020, and shortly thereafter the Minneapolis City Attorney's Office agreed to accept service for Defendant Medaria Arradondo. At that time, the City Defendants sought to remove this action from State to Federal court, but Defendants State of Minnesota Department of Public Safety, Commissioner John Harrington, and Minnesota State Patrol Colonel Matthew Langer ("the State Defendants") would not consent to removal. As such, pursuant to 28 U.S.C. §§ 1441(a) and 1446(b)(2)(A), the City Defendants were precluded from removing the action. Plaintiff served an Amended Complaint on October 9, 2020. The state district court issued a scheduling order on November 10, 2020. All named Defendants filed motions to dismiss, and Judge Jamie L. Anderson issued an order on February 16, 2021 dismissing Plaintiff's claims against the State Defendants in their entirety and with prejudice. Accordingly, the City Defendants now seek to remove this action pursuant to 28 U.S.C. § 1446(b)(3). The removal documents are being filed in state court concurrently with this removal.

2. A copy of the Summons is attached as **Exhibit 1**. A copy of the Complaint is attached as **Exhibit 2**. A copy of the Amended Complaint is attached

as **Exhibit 3**. A copy of the Order Granting in Part and Denying in Part Defendants' Motions is attached as **Exhibit 4**. A copy of the Notice of Entry of Dismissal is attached as **Exhibit 5**.

3. This Notice of Removal of Action to Federal Court is filed pursuant to 28 U.S.C. § 1441(a). The Plaintiff's lawsuit, being captioned in the State Court, is a civil action bringing claims under 42 U.S.C. § 1983 and alleging that City of Minneapolis employees, including but not limited to the Chief of Police Defendant Medaria Arradondo, violated the Plaintiff's rights under the U. S. Constitution, federal statutory law, state statutory claims and torts, resulting in injury to the Plaintiff.

4. The Amended Complaint alleges that the City Defendants violated Plaintiff's constitutional civil rights and asserts claims under 42 U.S.C. § 1983, both directly and pursuant to a claim of *Monell* liability. These are claims over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1343, as they arise under the laws of the United States within the meaning of 28 U.S.C. § 1331, and these claims are therefore removable under 28 U.S.C. § 1441.

5. The City Defendants file herewith a copy of all process, pleadings and orders served upon it in this action. The City Defendants have sent written notice of the filing of this Notice of Removal of Action to Federal Court to Plaintiff and will promptly file a copy of this Notice with the Clerk of the District Court for the

Fourth Judicial District of the State of Minnesota, County of Hennepin.
Defendants sign this pleading in accordance with Federal Rule of Civil Procedure
11.

WHEREFORE, notice is hereby given that the said action is removed from
the State Court to this Court for trial or such other determination as this Court may
make regarding the action and in accordance with its jurisdictional limits under
28 U.S.C. § 1441.

Dated: February 24, 2021

JAMES R. ROWADER, JR.
City Attorney
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